

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

Alexandria Division

JOSE SANCHEZ RAMOS

Plaintiff,

v.

BAWADI, INC.

d/b/a Bawadi Mediterranean Grill and Sweets Café

and KHALID MEKKI

Defendants

Case No. 1:17-cv-924-LMB-TCB

Hearing Date:

April 6, 2018, 10:00 a.m.

Motion for a Protective Order and to Quash Subpoena

Defendants today notified Plaintiff that they intend to serve a third-party subpoena on the U.S. Department of Homeland Security, requiring DHS to produce all immigration-related documents pertaining to the Plaintiff or verify that no such documents exist. (Ex. A, Notice of Subpoena; Ex. B, Subpoena to DHS). For the reasons set forth in the accompanying Memorandum of Law, Plaintiff respectfully requests that the Court:

1. Quash the subpoena under Civil Rule 45(d)(3), as this subpoena has no relevance whatsoever to this unpaid-wage case and is meant solely to intimidate the Plaintiff;
2. Issue a protective order under Civil Rule 26(c)(1), prohibiting Defendants from further attempts to intimidate the Plaintiff by improperly using the discovery process to pry into his immigration status; and

3. Award him the fees and costs incurred in preparing and filing this motion under Civil Rule 37(a)(5).

Respectfully submitted this 28th day of March, 2018,

/s/ Nicholas Cooper Marritz
Nicholas Cooper Marritz (VSB #89795)
Hallie Ryan (VA Bar No. 85927)
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Certificate of Service

I hereby certify that on March 28, 2018, I filed the foregoing Motion via the Court's CM/ECF system, which will cause a notice of electronic filing (NEF) to be sent to all counsel of record.

/s/ Nicholas Cooper Marritz

Date: March 28, 2018

Nicholas Cooper Marritz (VSB No. 89795)

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